

WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, NOVEMBER 19, 2015 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1

I. MONTHLY MEETING AT 7:30 PM

- a. Call to Order – Meeting was called to order by Jeff Gordon at 7:30p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Joseph Adiletta, Doug Porter, John Anastasi, Fred Rich, Ken Ebbitt, Dorothy Durst, Syd Blodgett, Duane Frederick, Delia Fey (Town Planner), Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Gail Dickinson, Travis Serrine (work), Dexter Young (out of town)

It is noted for the record that the following Commissioners have taken their legal oaths of office with the Town Clerk: **D. YOUNG, F. RICH, J. GORDON, D. DURST, J. ANASTASI, K. EBBITT, D. FREDERICK.**

Chair Gordon, at this time, calls for a quick moment of silence to remember the victims of the Paris attacks.

II. DESIGNATION OF ALTERNATES – Doug Porter, Ken Ebbitt & Duane Frederick

III. NON-RESIDENTIAL ZONING PERMIT

- a. Pieceworks Unlimited, 306 Rte 169 – relocated from 35 Rte 171 – group supported employment program for developmentally disabled individuals. D. Fey explains that this location was previously approved for retail space, and this entity was relocated, it was previously considered ‘training, social service or office’ by PZC, application is complete. J. Adiletta asks if pieceworks means assembly or if just a retail space. D. Fey responds that the business is run by NEPS, which supports employment for disabled people involving the assembly of sample products for local businesses like Rogers. **MOTION TO APPROVE APPLICATION MADE BY J. ANASTASI, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY.**
- b. New England Awards & Trophies, 160 Rte 171- relocated from 35 Rte 171 (Little River Plaza) – awards and recognition products. D. Fey explains that business is remaining the same, just changing location, application is complete, zoning permit needed for signage. **MOTION TO APPROVE APPLICATION MADE BY J. ANASTASI, SECONDED BY K. EBBITT. MOTION PASSED UNANIMOUSLY.**

MOTION TO MOVE ITEM VI. c and VI. d (NEW BUSINESS) BEFORE ITEM IV. (PUBLIC HEARING) MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.

IV. NEW BUSINESS

- c. NON-RESIDENTIAL ZONING PERMIT – Sloan, Giguere, Gisleson & Associates, 10 Beeches Lane – Professional Office for Financial Services Business. D. Fey explains that this is a business which will be done by appointment only, therefore, parking will not be an issue. Application is complete. **MOTION TO APPROVE APPLICATION MADE BY J. ANASTASI, SECONDED BY S. BLODGETT. MOTION PASSED UNANIMOUSLY.**
- d. NON-RESIDENTIAL ZONING PERMIT – Able Computer Service, 7 Beeches Lane, Suite 8 – office for Computer Software Business. D. Fey explains that the work done in this office will be online. Company designs and maintains software. Application is complete. **MOTION TO APPROVE APPLICATION MADE BY F. RICH, SECONDED BY D. FREDERICK. MOTION PASSED UNANIMOUSLY.**

MOTION TO MOVE ITEM VIII. (ZEO REPORTS) BEFORE ITEM IV. (PUBLIC HEARING) MADE BY F. RICH, SECONDED BY J. ANASTASI. MOTION PASSED UNANIMOUSLY.

V. ZEO REPORTS

- a. Report on Zoning Enforcement – October/November 2015
 - 6 Lyon Rd: after inspection on 11/18/15, dumpster removed, next inspection scheduled for Dec/2016.
 - 10 Oak Hill Lane: bank is still trying to find a buyer.

619 Rte 198: lawsuit served to property owners, who then called town attorney. Lawsuit returned to court as required, town attorney will be speaking to property owners as to their options.

MOTION TO MOVE ITEM X. (BUDGETS & BILLS) BEFORE ITEM IV. (PUBLIC HEARING) MADE BY K. EBBITT, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.

VI. BUDGET REVIEW AND BILLS

- a. Bills - None
- b. Budget Review – Legal items are under one line item.

MOTION TO MOVE ITEM VII. (CHAIR REPORT) BEFORE ITEM IV. (PUBLIC HEARING) MADE BY J. ANASTASI, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.

- VII. CHAIR’S REPORT** – J. Gordon thanked all the commissioners for attending meetings, and to the town staff for work done behind the scenes. Congratulations to Syd Blodgett for being reappointed by BOS for Open Space Land Acquisition Committee. At December meeting, additional agenda items: annual organizational meeting; election of officers and by-law review; vote on meeting schedule for 2016-2017; discussion on annual legal training session with town attorney. December 17th is the next meeting date.

VIII. PUBLIC HEARING – 7:45 P.M.

- a. #627-09-15, Mary Romppainen, Pond Rd – Request to designate portion of road (Kenyonville to Rte 171) as a “Scenic Road” J. Gordon states that a notice to the public was placed in Woodstock Villager on 11/6/15 and 11/13/15. Signs posted on road, per town ordinance. Documents have been received: memo to Board of Selectman & Highway Foreman from Delia Fey dated 10/22/15; notices sent to abutting property owners; letter from public received 11/22/15; memos from Conservation Commission dated 10/13/15; memo from John Navarro to Delia Fey dated 11/19/15. The last time a road was designated as scenic was 2006. J. Gordon explained the procedures of the public hearing. Application is complete.

Mary Romppainen addresses PZC with background to include photos, and goes on to explain that Mr. Navarro would like to remove a few trees. The wetlands on the 171 side are right up to the road, and the edge of the road to the river on the other side is 10-12ft. The road has been widened and boulders have been removed, because of sharp curve, part of the road is one way. By making a scenic road, doesn’t have lots of traffic, no buses, sometimes UPS truck, but no major traffic. She wants to stop further enlargement to the road and protect the scenic qualities by keeping it as is.

Jean Pillo, representing the Conservation Commission, supports this application, and would like to see more roads added to the scenic list. Carl Hay, who abuts M. Romppainen’s property, asks how scenic road designation affects the people within the vicinity, and Ms. Fey explains that there is no affect to those who don’t own frontage on that road.

J. Adiletta inquires as to the application packet and the people who have frontage on the road. D. Fey confirmed that the three owners that submitted the application do have frontage. J. Anastasi asks about the care of the road, such as plowing and grading and it is confirmed by Ms. Fey that it is the town’s responsibility. F. Rich states he had discussion with J. Navarro who told him that work may need to be done on this road, widening, so the regular sized trucks can be used on it. (Mr. Navarro sent email to Delia Fey). Mrs. Romppainen comments that the town didn’t use the small truck this past winter, that they used the new trucks, and they have also cut back some of the overhang. The blades of the truck can be turned and the town maintains it well. J. Gordon states that any scenic road in town that needs work, the town takes care of maintenance, and that Mr. Navarro has said that safety is his first priority.

Ms. Romppainen is not in favor of widening the road, as she believes it devalues her property and doesn’t think it is necessary. D. Fey explains that there is a legal right-of-way for the town and that’s generally wide enough for drainage changes and/or widening of the road. PZC discusses the right-of-way width of the road being an important

question that should be answered before their decision is made. PZC has questions on safety and whether a water truck could get through there in the case of a fire as public safety is a concern and the reason why widening could be necessary. As clarified by J. Gordon, maintenance and safety is up to the town, unless it's a private road. Mike Zemmo says that the right-hand turn after the Schmidt's garage, that there is no room to widen the road because the town never made Mr. Schmidt remove his garage. Charles Heckler says he is in favor of making Pond Rd scenic and that Mr. Navarro didn't explain his reasons for widening, that most if not all ambulances are four-wheel drive, as are oil trucks.

S. Blodgett states that the applicants aren't bringing up the safety issue, as there haven't been any issues for years, so the town must be doing an adequate job. There is discussion on what changes might be required, PZC getting additional information as to the changes that may be considered maintenance, and asking Mr. Navarro to attend the next meeting for some clarification. Ms. Romppainen says that she would like a wetlands study since any widening of the road could impact wetlands. J. Gordon explained that any wetlands impact is separate from what the PZC considers and reviews with this application.

Since additional information is needed, J. Gordon would like J. Navarro to attend the next meeting to answer PZC questions prior to rendering their decision. There is some discussion on whether the scenic road needs to be a mile long and the state statutes can be reviewed to determine if this state definition applies to towns. J. Pillo asks who moved the boulders and then she and Ms. Romppainen addressed the following criteria:

1. It is unpaved
2. It is bordered by mature trees or stone walls
3. The travel portion is no more than 20ft in width
4. It offers scenic view
5. It blends naturally into the surrounding terrain, or
6. It parallels or crosses over brooks, streams, lakes or ponds

The application meets all the criteria. D. Durst thanks J. Pillo. M. Romppainen states that the Highway Dept. moved the boulders. **MOTION MADE TO CONTINUE PUBLIC HEARING MADE BY J. ANASTASI, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY. HEARING CONTINUED TO DECEMBER 17, 2015 @ 7:45 P.M.**

IX. OLD BUSINESS

a. #625-07-15 Dean Carlage, Smith Road – Activity on a Scenic Road: request to triple chipseal road. J. Gordon reminds everyone that the public hearing is closed. D. Frederick recused from this discussion. J. Gordon says that there is still a quorum. **MOTION MADE TO DENY APPLICATION MADE BY J. ANASTASI, SECONDED BY J. ADILETTA.** Discussion: F. Rich respectfully disagrees, 80% of the people want it done, and those that are against don't put up with the same conditions as others do. J. Anastasi thinks that there are other methods in order to control dust and chipseal looks a lot like paving. Once it's done, it destroys the character of the road. Chipseal will require maintenance work after 5yrs. F. Rich says that isn't something new, work is done on all roads that are tarred. J. Anastasi is in favor of dirt roads.

J. Adiletta states that some problems not addressed with the chipseal, such as drainage and if not a part of the application, they should deny. D. Durst states that many people explained that there are other ways to control dust. Highway Foreman in favor but PZC should ask BOS to form study group to come up with options to help make decisions as a community to search for better ways. J. Anastasi supports D. Durst's idea and would serve in that group, should others agree. J. Gordon supports scenic roads. Seems to be much bigger subject, could have bearing on other roads. Chair agrees with asking BOS to possibly put together group to help give guidance. Not in favor at this time and agrees with J. Adiletta that there are other concerns. F. Rich states that if the road is chipsealed, then it has to be regraded and that could help solve some of the other problems such as drainage. **MOTION TO DENY: F. RICH AND D. PORTER ARE OPPOSED. MOTION PASSED, THE APPLICATION IS DENIED.** J. Gordon states that PZC can notify BOS to form study group to help come up with solutions. D. Porter states that drainage is major concern, should not go by the wayside, should be addressed. J. Gordon says that PZC can notify Mr. Navarro with concerns to have checked out. D. Durst brings up a different point of view, since it came to the attention of the PZC and the Highway Foreman is aware of safety concerns, perhaps PZC could ask Selectmen to decide if an engineer should be

consulted. F. Rich says this was brought to his attention by a member of the highway dept., not Mr. Navarro, and some are “gun shy” about caring for scenic roads, workers should not be given a hard time for doing their jobs.

J. Gordon has concerns as to erosion and public safety at the BOS meeting. D. Durst suggests to bring up forming a group, some members of the community may want to pay more to keep unpaved roads. J. Gordon states that its two separate communications.

b. #627-09-15, Mary Romppainen, Pond Rd – Request to designate portion of road (Kenyonville to Rte 171) as a “Scenic Rd” (total of ¼ mile) **PUBLIC HEARING CONTINUED TO DECEMBER 17, 2015 @ 7:45 P.M.**

X. NEW BUSINESS

a. PRELIMINARY DISCUSSION: The Keller Family, Proposed Family Transfer 2-Lot Subdivision at 17 Noren Rd (map 5122 block 18 lot 05) D. Fey shows map of the property. David Keller, represents the Keller family, and the goal is to create two home sites on the 123 acres which would be a family transfer subdivision and there would be a fee in lieu of the open space. J. Gordon states that preliminary discussion is nonbinding, for the record. D. Fey continues to explain that it is not required to put aside open space if fee in lieu of is approved, unless there’s an issue. It is pointed out that there is a lot unlabeled on the map and additional information will be required for the application. As explained by PZC, if the requirements and regulations are met, it should be ok. A complete application would have to be reviewed. A maintenance agreement is needed for the driveway along with IWWA review.

b. #624-2-15 Patrick & Erica O’Brien – 2-lot subdivision at 994 Rte 169 – Engineer Requests discussion on driveway design: J. Gordon reminds PZC that this application was approved on 3/19/15, this is a follow-up discussion. D. Porter recuses himself, conflict of interest. Norm Thibeault, project engineer, is present to represent the O’Briens, not a part of the original application. Discussion: N. Thibeault explains that approximately 800ft of driveway has been cut in and the foundation poured, however, the contractor says that there are swales on either side of the driveway, concerns with snow removal, as there is no place to put it. Applicant is looking for more feasible solutions. Concern #1) don’t have a low level outlet. Shows photo with approximately ½” of rain. Driveway is not paved, water is coming from slope and swales on both sides. #2) there are a couple of pull-offs for 2-way traffic but doesn’t think this is going to work. Idea to design driveway with cross slope, to put swale on one side and some drains to create low level outlet to drain out on to 171 if the DOT approves. Would a revised driveway design require PZC review? After discussion on proposal and details, this would constitute a modification to the application that may need to be reviewed by Design Professionals. N. Thibeault needs further direction and will speak to DOT. J. Gordon says this would be a revision modification. N. Thibeault explains that there would be some revisions to drain the water better, looking for direction, he will speak to DOT. J. Gordon explains that it would be a modification to the application. PZC shares concern with public safety where the water problem at the bottom of the driveway could end up on a state road.

e. Review and Report Pursuant to General Statutes Section 8-24

- i Woodstock Central Cemetery Association, Center Cemetery Road (map 5128 block 24 lot 01) – Conveyance of town owned cemetery plots to the Association (2plots numbered 17+18 & 19)

D. Fey explains documents on hand, the attorney has reviewed and is ok with it. Plots were for soldiers killed and these 4 were not used. **MOTION TO FORWARD TO BOS WITH FAVORABLE REVIEW AND RECOMMENDATION MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.**

- ii Conveyance of Town owned (but never built) roadway area and release of conservation easements in Subdivision #547-06-08 Charles Rosenfield, Rocky Hill Rd (application recently modified) map 6389 block 70 lot 13, easements on 13-16, 13-17, 13-18)

MOTION FOR FAVORABLE REVIEW AND RECOMMENDATION TO BOS TO APPROVE MADE BY D. PORTER, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY. Mrs. Smith thanked the PZC for their recommendation.

XI. MINUTES

a. Regular meeting minutes of October 15, 2015 **MOTION TO APPROVE MADE BY J. ADILETTA, SECONDED BY F. RICH.** D. Fey points out a clarification on page 2: Charles Heckler: treatment not made with sediment, should be mixture. D. Durst says to be sure that the date is in the footer. **MOTION PASSED UNANIMOUSLY.**

XII. CITIZENS COMMENTS - NONE

XIII. CT ROUTE 169 NATIONAL SCENIC BYWAY, NECCOG PUBLIC WORKSHOPS

D. Fey says that there was a good turnout and there was also another meeting in Canterbury. J. Gordon reminds everyone that NECCOG has website with the information on this project.

XIV. AIRBNB – discussion

D. Durst explains that at a subcommittee meeting the subject came up of hosting or sharing vehicles and homes for pay. Does Woodstock Regulations adequately explain bed & breakfasts? It says the owner shall live on the property, but it does not say that owner has to be there all year. There are possibly two in Woodstock, without abutters being informed or any notification being presented. J. Gordon has heard of Home Away, in San Francisco. Should this be looked into as a Commission? D. Fey is asked to see what other towns may be doing. D. Durst says she is willing to serve on subcommittee if others are also willing. J. Gordon says that they may not need a formal subcommittee and asks D. Durst to take the lead.

XV. CORRESPONDENCE

a. CT Federation of P & Z Agencies Newsletter – Fall 2015 – Renew, possible increase in cost.
b. Siting Council, Docket #423 re: American Towers LLC – telecommunications tower off of Rte 198 – 6 month extension granted - notifications
c. Eric Thomas, Watershed Manager, CT DEEP – possible grant application – D. Fey explains Mr. Thomas contacted the office and said that the town could apply to do projects, looking at information from last year. Jean Pillo explains that unpaved roads have issues and this would be good grant application for the town as they could hire a specialist to assist with recommendations and could be done with this grant. 60% funding 40% matched. Any staff time used for the project would count as the match part of the grant. General PZC consensus is positive. J. Pillo offers assistance with wording for the grant. J. Gordon recommends discussing with BOS. J. Pillo states that if NECCOG or Eastern Connecticut Conservation District does paperwork, then they will get a percentage of the grant for doing the work and also explains that there hasn't been a release date yet. J. Gordon to look into logistics of the application and let the BOS know and see what is feasible. J. Pillo states that this would be an EPA Sec 319 of the Clean Water Act, Federal Grant that DEEP distributes.

XVI. MINUTES OF OTHER BOARDS AND COMMISSIONS – NONE

XVII. OTHER – NONE

XVIII. ADJOURNMENT

MOTION TO ADJOURN MADE BY F. RICH, SECONDED BY D. FREDERICK. MOTION PASSED UNANIMOUSLY @ 9:55 PM.

Respectfully submitted,

Laura Cournoyer-Gagne, Recording Secretary

DISCLAIMER:

These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.